

CERTIFICATE FOR  
ORDER CALLING DIRECTORS ELECTION

THE STATE OF TEXAS §  
COUNTY OF HARRIS §  
HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 136 §

We, the undersigned officers of the Board of Directors (the "Board") of Harris County Municipal Utility District No. 136 (the "District"), hereby certify as follows:

The Board convened in regular session, open to the public, on August 13, 2020, at 6:00 p.m., via videoconference, in compliance with the guidelines approved by the Office of the Governor of the State of Texas upon request of the Office of the Attorney General, temporarily suspending a limited number of open meeting laws to allow telephonic meetings and to avoid congregate settings in physical locations in response to the Corona virus disaster. The roll was called of the members of the Board, to-wit:

- Neil Polansky, President
- Barry Greer, Vice President
- Brent Phelps, Assistant Vice President
- Adam Rodriguez, Secretary
- Eric Worthington, Assistant Secretary

All members of the Board were present, except the following: \_\_\_\_\_, thus constituting a quorum. Whereupon among other business, the following was transacted at such Meeting: A written

ORDER CALLING DIRECTORS ELECTION

as duly introduced for the consideration of the Board and read in full. It was then duly moved and seconded that such Order be adopted; and, after due discussion, such motion, carrying with it the adoption of such Order, prevailed and carried by the following votes:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_

A true, full, and correct copy of the aforesaid Order adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Order has been duly recorded in the Board's minutes of such Meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such Meeting pertaining to the adoption of such Order; the persons named in the above and foregoing paragraph are the duly chosen qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of such Meeting, and that such Order would be introduced and considered for adoption at such Meeting; and such Meeting was open to the public, and public notice of the time, teleconference number, and purpose of such Meeting was given, all as required by the guidelines approved by the Office of the Governor of the State of Texas upon request of the Office of the Attorney General,

temporarily suspending a limited number of open meeting laws to allow telephonic meetings and to avoid congregate settings in physical locations in response to the Corona virus disaster.

SIGNED AND SEALED this 13<sup>th</sup> day of August, 2020.

\_\_\_\_\_  
Secretary, Board of Directors

\_\_\_\_\_  
President, Board of Directors

(DISTRICT SEAL)

## ORDER CALLING DIRECTORS ELECTION

WHEREAS, Harris County Municipal Utility District No. 136 (the “*District*”) is required to hold a Directors Election on the first Tuesday after the first Monday in November unless each candidate in the election is unopposed; and

WHEREAS, the Board of Directors of the District (the “*Board*”), pursuant to Chapter 271, Texas Election Code, is entering into an agreement to conduct a joint election with Harris County and other political subdivisions within Harris County (the “*Joint Election Agreement*”); and

WHEREAS, the Board deems it necessary and appropriate to establish the procedures whereby such election may be held;

### IT IS, THEREFORE, ORDERED BY THE BOARD THAT:

1. Pursuant to Section 49.103 of the Texas Water Code and Sections 41.001 and 41.0052 of the Election Code, an election shall be held for and within the District on November 3, 2020, for the election of three Directors for the District, each of whom shall serve a four-year term, unless the Secretary of the Board certifies that each candidate is unopposed for election.

2. In the event the Secretary of the Board certifies that each candidate is unopposed for election, the Board hereby determines that, pursuant to Sections 2.051 through 2.054 of the Election Code, it will declare such unopposed candidates elected to the office of director without an election. The Board adopts the practice of canceling elections when permitted pursuant to Sections 2.052 through 2.053 of the Election Code as part of its election practices for this election and subsequent elections, until and unless such procedure is changed by formal action of the Board.

3. Except as otherwise provided herein, the presently existing boundaries and territory of the Harris County Election Precincts that are wholly or partially within the boundaries of the District are hereby designated and established as the voting precincts for the District for the Election. The polls shall be open for voting on Election Day from 7:00 a.m. to 7:00 p.m. at:

**District Precinct No. 1**

**Deerfield Village Recreation Center, 4045  
Deerfield Village Drive, Houston, TX 77084**

**Harris County Election  
Precinct No. 0650**

After duly considering the requirements of the Texas Election Code, the Board hereby finds the locations to be suitable public buildings and proper places for conducting said election. The officers of the Election shall be those qualified individuals recommended and appointed by the Administrator as provided in the Joint Election Agreement.

4. Early voting in such election by personal appearance shall be conducted at the locations detailed on Exhibit A, being the designated early voting polling places as provided in the Joint Election Agreement. The polls shall be open at each early voting location

on October 13, 2020, through October 17, 2020 (Tuesday through Saturday) from 7:00 a.m. to 7:00 p.m., October 18, 2020 (Sunday), from 10:00 a.m. to 7:00 p.m., October 19, 2020, through October 24, 2020, (Monday through Saturday) from 7:00 a.m. to 7:00 p.m., October 25, 2020, (Sunday) from 10:00 a.m. to 7:00 p.m., October 26, 2020 through October 29, 2020, (Monday through Thursday) from 7:00 a.m. to 7:00 p.m, and October 30, 2020 (Friday), from 7:00 a.m. to 10:00 p.m.

The Board hereby appoints Chris Hollins as the regular early voting clerk and the Administrator as the joint clerk for early voting, as provided in Joint Election Agreement. Early voting ballots in the election by mail may be obtained from and mailed to the Early Voting Clerk at Harris County Clerk, PO Box 1148, Houston, Texas 77251-1148, which is the Early Voting Clerk's official mailing address.

5. In accordance with Section 61.012(b), voting shall be conducted by an electronic voting system adopted by resolution of the Commissioners Court of Harris County, Texas, which has been certified by the Texas Secretary of State as complying with the requirement for an accessible voting system. Such voting system is described on Exhibit B attached hereto and by this reference made a part hereof. The Board hereby adopts the use of the accessible voting system described above as part of its election practices for this election and subsequent elections, until and unless such procedure is changed by formal action of the Board.

6. The ballots for such election shall be prepared in sufficient number and in conformity with the Texas Election Code, as it may be amended from time to time, and shall be substantially as follows:

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HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 136

DIRECTORS ELECTION  
NOVEMBER 3, 2020

OFFICIAL BALLOT

Vote for no more than two candidates of your choice by placing an "X" in the squares beside the candidates' names.

Director  
Vote for no more than two

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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7. The personnel for the central counting station shall be those qualified individuals recommended and appointed by the Administrator as provided in the Joint Election Agreement. Notice of the election will be given by posting notice of the election on the bulletin board within the District used for posting notices of the meetings of the Board and in a public place in each election precinct in the District at least 25 days before the election.

8. The election shall be held and conducted in all respects as provided by applicable law. The election shall also be conducted pursuant to the terms and conditions of the Joint Election Agreement. The Administrator shall serve as the joint custodian of record for all election returns and provide for the storage of election records.

9. Pursuant to the applicable provisions of the Texas Election Code, including but not limited to Chapter 31, Texas Election Code, the Board hereby authorizes and approves the Joint Election Agreement, and authorizes the Board's president to sign and the Board's secretary to attest to such Joint Election Agreement.

10. The Board's President and Secretary and the attorney for the District are hereby authorized and directed to make any filings required by the Federal Voting Rights Act.

The Board's President and Secretary and the attorney for the District are further authorized and directed to take any action necessary to comply with the provisions of the Texas Elections Code, the Texas Water Code and the Federal Voting Rights Act and the terms and provisions of the Joint Election Agreement in carrying out the provisions of this Order, whether or not expressly authorized herein.

11. The officers of the Board are each authorized to evidence adoption of this Order and directed to do any and all things legal and necessary to hold such election and otherwise to carry out the intent hereof.

12. In case any provision in this Order shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

13. The District's email address to be used for the election is [jane.maher@nortonrosefulbright.com](mailto:jane.maher@nortonrosefulbright.com).

\* \* \*

## EXHIBIT A

## **EXHIBIT B**

Description of voting system:

Hart InterCivic eSlate Version 6.2.1